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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Milan KCAVENDA

Application No.: 10/565,159

Group Art Unit: 2873

Filed: January 19, 2006

Examiner: Hung Xuan Dang

For: RECESSED HINGE TO MAKE THE TEMPLES OF SPECTACLES ELASTIC

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Rules 56 and 98, Applicants hereby call the attention of the Patent Office to the references listed on the attached Form PTO 1449

Applicants present these references so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rule 104. Applicants respectfully request that these references be expressly considered during the prosecution of this application and made of record herein and appear among the "Reference Cited" on any patent to issue herefrom.

In fulfillment of 37 CFR 1.97(c) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was cited in a communication (see the attached copy of a Communication pursuant to Article 115(2)EPC dated August 28, 2006) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

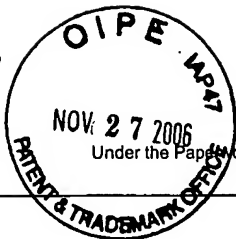
Date: Nov. 27, 2006

By:

Anthony P. Venturino
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	10565159
Filing Date	2006-01-01
First Named Inventor	Milan KCAVENDA
Art Unit	2873
Examiner Name	Hung Xuan Dang
Attorney Docket Number	APV31917

U.S.PATENTS

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	1729901		1929-10-01	Simonds et al.	
	2	5400090		1995-21-03	Chen	

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S.PATENT APPLICATION PUBLICATIONS

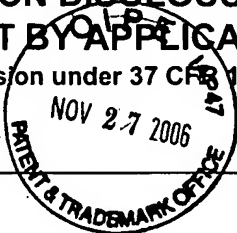
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1					

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FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² j	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	1239847	IT		1993-15-11	JACOBACCI CASETTA & PERANI SPA	English Abstract is attached	<input checked="" type="checkbox"/>
	2	1147198	IT		1986-19-11	IDEAL DI MONTAGNER LUCIANO (IT)	English Abstract is attached	<input checked="" type="checkbox"/>

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STATEMENT BY APPLICANT**
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Attorney Docket Number	APV31917

	3	0462936	EP		1991-27-12	NATIONALE SA (CH)	English Abstract is attached	<input checked="" type="checkbox"/>
	4	2948113	DE		1981-06-04	MENRAD FERDINAND FA (DE)	English Abstract is attached	<input checked="" type="checkbox"/>
	5	2641382	FR		1990-07-06	MALFROY JEAN YVES (FR)		<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T5
	1		<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

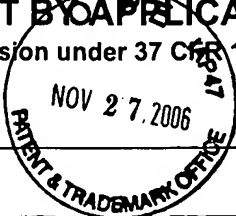
EXAMINER SIGNATURE

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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STATEMENT BY APPLICANT**
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Attorney Docket Number	APV31917

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☒ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/anthony p venturino/	Date (YYYY-MM-DD)	
Name/Print	Anthony P. Venturino	Registration Number	31674

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**